

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Robert Carrozza,

Civil No. 04-4838 (RHK/FLN)

Petitioner,

v.

O R D E R

W.I. LeBlanc, Jr., Warden,

Respondent.

Based upon the Findings of Fact, Conclusions of Law, and Recommendation by United States Magistrate Judge Franklin L. Noel dated July 22, 2005, all the files and records, and no objections having been filed to said Report and Recommendation,

IT IS HEREBY ORDERED:

1. The Report and Recommendation (Doc. No. 9) is **ADOPTED**; and
2. Petitioner's Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241 (Doc. No. 1) is **DENIED**.

Dated: August 22, 2005

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge